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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/541,992

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Marco Van Leeuwen

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

KEATON, SHERROD L

ART UNIT

PAPER NUMBER

2175

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/541,992	<b>Applicant(s)</b> VAN LEEUWEN, MARCO	
	<b>Examiner</b> Sherrod Keaton	<b>Art Unit</b> 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is in response to the filing of 3-14-08. Claim 2 has been cancelled and Claims 1, 3-19 have been considered below.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-16, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Peschke (US 6397143 B1).

**Claim 1:** Peschke discloses a method of creating a view (V) on a computer screen (3), the method comprising the steps of:

the computer (2) receiving a request from a user to create a view, the request comprising a location indication, the location indication comprises a point on the screen

indicated by the user (Column 4, lines 67-Column 5, Lines 40). Here a view of a neighborhood or region is requested by clicking on the icon.

the computer (2) determining, on the basis of the location indication, both a view location and view dimensions, and the computer (2) displaying a view (V) having said view location and said view dimensions (Figure 3; Column 5, Lines 40-57). Here the view and dimension is displayed by showing the indicated neighborhood or region.

**Claim 3:** Peschke discloses that the view has a center which substantially coincides with the point on the screen indicated by the user. (Figure 3; Column 5, Lines 48-57) Here once the region is selected it is substantially centered to that location or view.

**Claim 4:** Peschke discloses a method wherein the view dimensions are as large as possible (Column 4, Lines 1-6). The zoom allows the view to be displayed as large as possible.

**Claim 5:** Peschke discloses a method a method as in claim 1 above, and where the computer provides view activation points (P) on the screen, each view activation point corresponding with a view having predetermined view dimensions (Column 5, Lines 48-57). Here predetermined dimensions are displayed with a selection.

**Claim 6:** Peschke discloses a method a method as in claim 5 above, and where the computer provides at least two different types of view activation points one type corresponding with views having a fixed size (Column 5, Lines 40-47). Here views can drill down or be navigated along the same level. The views sizes are fixed the selection of the indicated region.

**Claim 7:** Peschke discloses a method as in 1 claim above, and further discloses a device programmed to carry out the method (inherent).

**Claim 8:** Peschke discloses a method as in claim 7 above, and further disclose that the device preferably is a desktop computer, a laptop computer, a palmtop computer, a PDA or an electronic organizer (Column 3, Lines 12-19). Peschke discloses using a mouse, trackball, light pen or touch screen which all are all notoriously related with the disclosed devices. Therefore Official notice is taken a the device could be used with any of the disclosed devices

**Claim 9:** Peschke discloses a method as in 1 claim above, and further discloses a computer readable medium including a computer program that carries out the method (inherent).

**Claim 10:** Peschke discloses a record carrier, provided with a software product as claimed in 7 (inherent).

**Claim 11:** Peschke discloses a method a method as in claim 1 above, and wherein the point on the screen comprises a software button (Column 3, Lines 12-19). The Icon is the software button which can be selected.

**Claim 12:** Peschke discloses a computer implemented method of presenting a view on a computer screen, method comprising:

presenting a plurality of view presentation locations on the computer screen; receiving a request from a user to present a first view presentation location, a dimension of the first view; presenting the first view at the first view presentation location, wherein the first view includes the determined first view dimension and the first view is a display window in which content is presented to the user.

(Column 4, lines 67-Column 5, Lines 40). Here a view of a neighborhood or region is requested by clicking on the icon. (Figures 1 and 3; Column 5, Lines 40-57). A user is allowed to select a location for display, based on that location selection a new dimension is determined specific to that location within the window. This first view is provided as a complete display window.

**Claim 13:** Peschke discloses a method a method as in claim 12 above, and wherein the point on the screen comprises a software button (Column 3, Lines 12-19). The Icon is the software button which can be selected.

**Claim 14:** Peschke discloses a method a method as in claim 12 above, and wherein the view presentation locations are presented in a plurality of rows (Column 5, Lines 60-67). The grid provides the plurality of rows.

**Claim 15:** Peschke discloses a method a method as in claim 14 above, and wherein the alternating rows are staggered (Figures 1-2C, Column 5, Lines 60-67). The available view of the rows are presented alternating size and within selectable locations.

**Claim 16:** Peschke discloses a method a method as in claim 12 wherein the first view includes a center and presenting the first view includes positioning the center at a location that substantially coincides with the first view presentation location. (Figure 3; Column 5, Lines 48-57) Here once the region is selected it is substantially centered to that location or view.

**Claim 18:** Peschke discloses a method a method as in claim 12 including:

Receiving a request from the user to present a second view at a second view presentation location; Determining, on the basis of the location of second view presentation location in relation to an edge of the first view, a dimension of the second view; Presenting the second view presentation location at the second view presentation location, wherein the second view includes the second view dimension. (Column 4, Lines 31-36; Column 5, Line 48-Column 6, Line 22). Here user is allowed additional views and based on the selection from the edge of the first indicated by the arrows the second view with its dimension is displayed.

**Claim 19:** Peschke discloses a method a method as in claim 12 wherein determining the dimension of the first view includes selecting one of a first predetermined dimension and a second predetermined dimension (Column 5, Lines 41-47). Here a first higher level view is available as well as the drill down to a lower level view.

**Claim 20:** Peschke discloses a method as in claim1 and wherein the view is a display window displayed on the computer screen and the computer presents content in the view (Figure 1; Column 4, Lines 31-36).

**Claim 21:** Peschke discloses a method as in claim 1 and wherein the point corresponds to a fixed physical location on the screen and not content displayed within a second



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view that is being displayed on the screen when the point is selected (Figure 1; Column 4, Lines 31-36).

Examiner notes that all points selected on a screen relate to a fixed physical location which is then analyzed accordingly and in addition the content is not within a second view as explicitly noted by the claim but is merely the view.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peschke (US 6397143 B1).

**Claim 17:** Peschke discloses a method a method as in claim 12 but does not explicitly disclose wherein including determining the dimension of the first view on the basis of the location of the first view presentation location in relation to an edge of the screen. However Peschke does discloses icons placed in various locations and if the icon was placed near the edge of the screen the view would determine a dimension as it does for any other selected icons (Column 4, lines 67-Column 5, Lines 40). Therefore it would

have been obvious to determine a dimension of an icon displayed near the edge of the screen for viewing for the user. One would have been motivated to alternate dimension to provide improved visual feedback of the selected location to the user.

### ***Response to Arguments***

5. Applicant's arguments have been fully considered but they are not persuasive.

Per claim 1, Applicants argue creating a view, however applicants to not explicitly disclose in the claim what creating a view is. Therefore this allows the broadest interpretation to be assumed. Creating a view can merely be creating a view from within a view. There is no claim language that requires the view to be a completely new view or that requires execution of opening a window

Secondly nowhere within the claim does it disclose that the view be a window. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. Nor does the claim explicitly recite that the dimension apply to the measurements of the display window itself.

In light of the interpretation of view, it will be understood that the icons are a location indication (a point represented on the screen) and a dimension of that selection is determined because originally the view may be zoomed out and once selected the view dimension for that particular area is altered accordingly thereby creating a view.

Per claim 3, In light of the interpretation of view the selected points do provide a substantial centering. As far as the point being linked to another map this represents the creation of the view.

As an additional note substantial is a very relative term which is open to very wide-ranging interpretation.

Per Claim 12, applicant's arguments have been considered but are not persuasive because by interpreting in the broadest sense the claim language does not require that the dimension apply to the measurements of the display window itself. It merely states that the view is a window. Applicant's is invited to further clarify the claim by precisely reciting this limitation.

Per Claim 17, applicants argue that the dimension is in relation to the edge of the screen of the monitor but do not recite this in their claim.

***Conclusion***

Applicants amendments necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SLK

6-17-08

/William L. Bashore/  
Primary Examiner, Art Unit 2175